



Approved for use through 07/31/2006. OMB 0651-0031 U.S. Patent and Trademark Office; U.S. DEPARTMENT OF COMMERCE Under the Paperwork Reduction Act of 1995, no persons are required to respond to a collection of information unless it displays a valid OMB control number.

PTO/SB/31 (08-03)

AP  
4  
JFW

**NOTICE OF APPEAL FROM THE EXAMINER TO  
THE BOARD OF PATENT APPEALS AND INTERFERENCES**

Docket Number (Optional)

HIRA.0080

I hereby certify that this correspondence is being deposited with the United States Postal Service with sufficient postage as first class mail in an envelope addressed to "Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450"

on \_\_\_\_\_

Signature \_\_\_\_\_

Typed or printed  
Name \_\_\_\_\_

In re Application of  
NOZAKI et al.

Application Number  
09/677,042

Filed  
September 29, 2000

For METHOD AND APPARATUS FOR DISPLAYING GENE  
EXPRESSION PATTERNS

Art Unit  
1631

Examiner  
MORAN, Marjorie A.

Applicant hereby appeals to the Board of Patent Appeals and Interferences from the last decision of the examiner.

The fee for this Notice of Appeal is (37 CFR 1.17(b))

\$ 500.00

☐ Applicant claims small entity status. See 37 CFR 1.27. Therefore, the fee shown above is reduced by half, and the resulting fee is:

\$ \_\_\_\_\_

☒ Checks in the amount of \$500.00 for the Notice of Appeal and \$1,020.00 for the three-month extension fees are enclosed.

☐ Payment by credit card. Form PTO-2038 is attached.

☐ The Director has already been authorized to charge fees in this application to a Deposit Account. I have enclosed a duplicate copy of this sheet.

☒ The Director is hereby authorized to charge any additional fees which may be required, or credit any overpayment to Deposit Account No. 08-1480. I have enclosed a duplicate copy of this sheet.

☒ A petition for a three-month extension of time under 37 CFR 1.136(a) (PTO/SB/22) is enclosed.

☒ A Response to the Office Action is enclosed.

**WARNING: Information on this form may become public. Credit card information should not be included on this form. Provide credit card information and authorization on PTO-2038.**

I am the

☐ applicant/inventor.

☐ assignee of record of the entire interest.  
See 37 CFR 3.71. Statement under 37 CFR 3.73(b) is enclosed.  
(Form PTO/SB/96) Typed or printed name

☒ attorney or agent of record.  
Registration number 24,344 / 34,072

☐ attorney or agent acting under 37 CFR 1.34(a).  
Registration number if acting under 37 CFR 1.34(a) \_\_\_\_\_

Signature

Stanley P. Fisher / Juan Carlos A. Marquez  
Typed or printed name

703-641-4289  
Telephone number

November 3, 2005  
Date

NOTE: Signatures of all the inventors or assignees of record of the entire interest or their representative(s) are required. Submit multiple forms if more than one signature is required, see below\*.

☐ \*Total of \_\_\_\_\_ forms are submitted.

This collection of information is required by 37 CFR 1.191. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.14. This collection is estimated to take 12 minutes to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

11/04/2005 JADD01 00000005 09677042

01 FC:1401

500.00 DP

FRXLIB-384023.1-SPFISHER 11/2/05 3:27 PM